

16-6a-110 Filing duty of division.

- (1) If a document delivered to the division for filing satisfies the requirements of Section 16-6a-105, the division shall file the document.
- (2)
 - (a) The division files a document by stamping or otherwise endorsing "Filed" together with the name of the division and the date and time of acceptance for filing on both the document and the accompanying copy.
 - (b) After filing a document, except as provided in Sections 16-6a-1510 and 16-6a-1608, the division shall deliver the accompanying copy, with the receipt for any filing fees:
 - (i)
 - (A) to the domestic or foreign nonprofit corporation for which the filing is made; or
 - (B) to the representative of the domestic or foreign nonprofit corporation for which the filing is made; and
 - (ii) at the address:
 - (A) indicated on the filing; or
 - (B) that the division determines to be appropriate.
- (3) If the division refuses to file a document, the division within 10 days after the day the document is delivered to the division shall return to the person requesting the filing:
 - (a) the document; and
 - (b) a written notice providing a brief explanation of the reason for the refusal to file.
- (4)
 - (a) The division's duty to file a document under this section is ministerial.
 - (b) Except as otherwise specifically provided in this chapter, the division's filing or refusal to file a document does not:
 - (i) affect the validity or invalidity of the document in whole or in part;
 - (ii) relate to the correctness or incorrectness of information contained in the document; or
 - (iii) create a presumption that:
 - (A) the document is valid or invalid; or
 - (B) information contained in the document is correct or incorrect.

Amended by Chapter 364, 2008 General Session